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August 31, 2022

BY ECF AND EMAIL

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, New York, 10007

Application granted.

SO ORDERED.

Ronnie Abrams, U.S.D.J.
September 1, 2022

Re: **United States v. Earl Ingarfield, 20 Cr. 146 (RA)**

Dear Judge Abrams:

I write to confirm or, if necessary, to modify the Reply date to the Government's Response (Doc. 42, filed August 26, 2022) to Defendants' Motion to Dismiss (Doc. 39 filed July 27, 2022).

According to the Court's order following the January 28, 2022 status conference, our Reply was to be due on September 8, 2022. However, Doc. 41 modified the Government's response time, also set in the January 28, 2022 order, from August 29th to August 26th.

Under Local Rule 49.1(c), our Reply would be due Friday, September 2nd. Alternatively, if one observed and preserved the 10-day interval between the Response and Reply established in the January 28th Order, the Response would be due September 6, 2022 (because September 5th is a Court Holiday).

We would like to retain the September 8, 2022 reply date. The government has no objection. (See email exchange attached).



Christian Dichter & Sluga
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While, arguably, we needed to do nothing, as the currently effective order does establish September 8 as the due date, we thought it would be better to ask, rather than assume.

The rationale for asking for an extension, if the court were to regard the September 8 date as no longer effective and require a reason, is that two law firm in two different States are preparing portions of the reply and some coordination is needed.

Respectfully Submitted:

CHRISTIAN DICHTER & SLUGA, P.C.

By: /s/ Stephen M. Dichter
Stephen M. Dichter
J.P. Harrington Bisceglia
2800 North Central Avenue, Suite 860
Phoenix, Arizona 85004
Tel: (602) 253-5808

Yvonne Canez

From: Deininger, Emily (USANYS) <Emily.Deininger@usdoj.gov>
Sent: Tuesday, August 30, 2022 3:37 PM
To: Steve Dichter
Cc: LaMorte, Tara (USANYS); Yvonne Canez; Richard Schonfeld; JP Harrington Bisceglia
Subject: Re: [EXTERNAL] RE: Ingarfield adv United States

We have no objection

Sent from my iPhone

On Aug 30, 2022, at 9:47 PM, Steve Dichter <sdichter@cdslawfirm.com> wrote:

According to the January 28, 2022 status conference order, our Reply is due September 8, 2022. However, Doc. 41 bypassed the January 28, 2022 dates and reduced your response time from August 29th (in the January 28, 2022 Order) to August 26th. Under Local Rule 49.1(c), the Reply is currently due Friday, September 2nd. The interval under the January 28th Order was 30-days for the Response and 10 for the Reply.

We would like to retain the September 8, 2022 reply date, if you are agreeable, and the Court will affirm the date.

Please let us know the government's position as quickly as you are able.

Thanks.

Stephen M. Dichter



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